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Conservation Comm Minutes 09-07-2000

SEPTEMBER 7, 2000

Ms. Brent called the meeting to order at 7:30pm in the 2nd floor conference room in the Town Hall Annex. Present were Corinna Beckwith, Susan Brent, Nathaniel Stevens, Timothy Sullivan, Geraldine Tremblay and Judith Hodges of the Commission.

7:30pm –10, 12 Devereux St. working session was rescheduled to 10/5/00.

MISCELLANEOUS-

Ms. Tremblay had distributed written comments regarding the Mt. Pleasant Cemetery for review by the rest of the Commission. She expressed her position that the first 100 feet from Mill Brook and the wetland be heavily vegetated with native plantings and without any graves. Ms. Beckwith still needs a file copy of the latest revision of the design plan with the roadway realigned further from the wetland. Ms. Tremblay said the plans need to include the sewer line running parallel to Mystic Valley Parkway. She is also requesting grass and picnic tables over infiltrator. She asked whether the swale outlet can be rerouted to enter Mill Brook further upstream in order to provide more upland for potential gravesites.

Minutes of the 7/20/00 and 8/17/00 hearings were approved.

West Nile Virus advisory issued by the Board of Health. This topic brings up extenuating issues for this commission. Ms. Brent thought that DEP was working on a guidance document.

The Commission received a resume for a new member and Ms. Beckwith will forward this to the Town Manager.

An Eagle Scout, Keith Joyce wants to clean debris out No Name Brook. He can clean trash without a permit. He just needs to call DPW the day before and tell them the location of the bagged, bundled debris for pickup.

Kevin O'Brien asked what permits are required for the installation of an outlet structure in the Summer St. depression. The structure would be constructed in the wetland and allow large flows to enter the Summer Street drainage system. These flows have already been included in the Reed's Brook filing. The Commission would require a full Notice of Intent for this work.

Another Boy Scout troop sent a letter to the Commission requesting permission to post interpretive signs in Great Meadows. Ms. Brent advised that the troop should write up their specific proposal, submit it to us and the Lexington Conservation Commission, and needs to be coordinated with the Master Plan.

8:00pm- Reed's Brook- Admendment to order of condiditons is continued to 9/21/00 at 7:45pm in order to incorporate minor changes.

Fiscal matters regarding funds, accounts, and processes were discussed briefly. Ms. Beckwith will submit an invoice for her August hours soon.

The Commission then relocated to the main hall of Town Hall to conduct the next hearing.

8:15pm – MUGAR PARCEL, RTE. 2 – ABREVIATED NOTICE OF RESOURCE AREA DETERMINATION (ANRAD)

Ms. Brent welcomed the many attendees to the hearing. Mr. Stevens read the public notice. Ms. Amy Green of Rizzo Associates, gave a presentation of the ANRAD. She pointed out the Bordering Vegetated Wetlands, an Isolated Vegetated Wetland and the Bordering Land Subject to Flooding, a few intermittent streams along Thorndike Field. The ANRAD shows the 100 year and 10 year floodplains. The elevation of the 100 year floodplain is given at 8.00' El.

Ms. Green acknowledged that Rizzo is conducting additional field investigations to confirm the topography and flooding by conducting additional survey, and digging test pits.

The Conservation Commission has hired Ingeborg Hegemann of BSC Group. The Chair entertained questions of the Commission. Ms. Beckwith sent an initial review letter August 8, 2000. Ms. Hegemann was introduced to the audience.

Mr. Stevens read into the record the receipt of 3 comment letters: John Osmer of 6 Edith St., David Stoff of Alewife Brook Advisory Committee, Heather Fahey of 67 Dorothy Road. These letters have also been forwarded to the project proponent.

Mr. Emilio Roselli, of 14 Lake St., spoke about his long time residence in this neighborhood and his opinion that the Mugar property not be developed. The entire Mugar parcel used to be a marsh. Years ago that all the area near the T station floods and Fresh Pond Mall also floods. All of these wetlands are being lost and flooding has gotten worse. He pumped out many properties in his job as a fireman. Who is going to pay for the flooding damages if this gets worse? Why did other proposals on this property not succeed in the past?

Ms. Brent asked for residents to write down dates and facts regarding flooding of their properties and submit these to the Commission, and to include photos.

Ms. Beckwith responded to Mr. Roselli that the proposed development in the 1980's was denied a curb cut permit from MassHighway because the work on Route 2 was not completed at that time.

George Laite, of the East Arlington Good Neighborhood Committee and Town Meeting member, stated that the area was formerly marshland and going back centuries and through various mechanical disturbance is now not as wet. It is the wishes of himself and the neighborhood that the area not be developed.

Maureen Fitzgerald of 76 Margaret Street, has witnessed major development in the area in the time that she has lived here, namely the T and with it an increase in flooding. Ms. Fitzgerald showed a photo of 6 years ago when the flooding was so bad that her son could canoe in the backyard. Many possessions have been lost due to waterlogging in the basement. Waterproofing of her basement cost \$15,000. Excavation work revealed three subfloors beneath the floor and revealed the presence of a stream underneath the floor running from the bikepath towards Margaret Street. When the T was built, they placed markers on her house and a few others to monitor subsidence of the properties, no one has ever come to measure the elevation of those markers.

Steven Conlin, resident of Edith St. for seven years, since that time two 30 year storms have occurred. His sump pump comes on with 90 percent of the rain events. If the Mugar parcel is developed, he believes that the flooding will worsen as it is already doing. How do you mitigate for something that is one step away from a catastrophe?

Marjorie Noone, 46 Dorothy Road, for the past ten years her basement has flooded every year. Traffic and safety are also major concerns of hers.

Jennifer Griffith, 4 Edith Street, has pictures from 1996 showing the flooding higher than the 8' elevation. She submitted the photos to the Commission. During that flood and the one after and the storm drains backed up, bubbling up through the manhole.

Ms. Tremblay requested again, any photos from residents of flooding, including location, dates and duration of flooding.

Elsie Fiore, 58 Mott Street, made remarks noting the longstanding struggle for the past 58 years, to see this land protected from development. The Mugar parcel has been filled by Spy Pond dredging and Route 2 fill and therefore has been significantly altered. Much fill was removed but it was not back down to the level it was originally.

More copies of the ANRAD permit can be viewed at the Robbins Library, the Planning Office and by calling 316-3012 to set up an appointment to view it at the Conservation office.

Gary Gryan, 47 Burch St, submitted more photos of flooding behind his property in 1996.

Michael Sheehan of 70 Mary St, for the past 21 years, asked what is the FEMA data based on and is it current in light of the Route 2 and T stop development? He believes adding one more development on top of that already present is going to impact the already bad flooding situation in this neighborhood.

Diane Mahon, 23 Howard St., expressed that the support for protecting this land as open space is a town wide concern.

Andrew Noone, 46 Dorothy Road, asked how will the development affect the neighborhood? What does all this information mean? When is the design going to be submitted? Ms. Brent answered that the design will be submitted to the Commission when the proponent files a Notice of Intent application and it is up to them when they do this.

Ms. Griffith asked what is the survey data based upon, is it new or old or what are the sources of the information.. What can the developer do within a floodplain? Ms. Brent answered that the Wetlands Protection Act Regulations outlines the mitigation step necessary in order to build in the floodplain and that this document is in the Robbins Library. Ms. Hegemann briefly described some of the procedures being conducted and what is contained in the Regulations. She is going to take all of the information provided to her this evening and review it in terms of where is the floodplain. The Commission will make a final decision as to the location of the wetlands and the floodplain. Ms. Green explained that the proponent is attempting to avoid filling more than 5000 square feet of wetland and any worsening of the flooding.

Franca Ainsworth, 35 North Union Street, is this information based on any Town archived information., or from the Planning office. Is this new survey information? Why do lines look so different from past maps? Is this information based on field data? What time of year was the information gathered in?

Ms. Green answered that the floodplain elevation of 8' is taken from the 1982 survey study. This map looks different shape than the FEMA map because they took new survey information and drew a new 8' contour. The wetland lines are determined by looking at soils, hydrology and vegetation at every 50' or so. Data forms were included in the application. The FEMA map is presumed accurate until proven otherwise. It is up to the Commission to determine if this information is valid.

Ted Leotsakos of 110 Lake Street for the past 8 years, and his aunt, age 100 years, has lived here all along. The woman who he bought his house from, said she saw a stream running down Lake Street, from Mass Ave to Route 2. Can seismic machines come in and locate these underground streams in the neighborhood? It should be done. How will the development affect groundwater movements?

Roland Chaput, of the Arlington Redevelopment Board and the Open Space Committee asked whether there any vernal pools or any endangered species on the property.

Ms. Green answered that they have received a letter from the Natural Heritage Endangered Species program stating that there are no endangered species and that there are no vernal pools.

Ms. Mahon asked whether the new development will not worsen the existing flooding in the neighborhood or whether there will be an attempt to improve the drainage for the neighborhood. Ms. Green answered that the Wetlands Protection Act Regulations state the flooding shall not be exacerbated by new development but it is still up to the developer to decide if they can do any more.

Alan McClellan, Director, Planning and Redevelopment Board, asked for Ms. Green to clarify whether any design decisions have been made at this point since Rizzo Associates has filed the Environmental Notification Form (ENF) with the state MEPA (Massachusetts Environmental Protection Act) board, EOEA (Executive Office of Environmental Affairs), filed in late August, publicized September 9, 2000.

Ms. Green answered that the ENF contains only general site design information and that the fine details are yet to be determined, such as building and parking lot location and driveway location and size.

Michael Tourney, a friend of Alewife Brook from the other side in Cambridge, asked when the existing forest is replaced with grass and parking lot, what will happen to this floodplain's ability to absorb water?

Ms. Brent and Mr. Stevens reiterate that that information would be required in the Notice of Intent filing by the applicant.

Brian Rehrig, 28 Academy St., pointed out that the current wetland delineation is only a snap shot of the wetlands that used to be on this property. The site has been very substantially altered (filled) in the past by the State and possibly by the Town. The increase in flooding in the neighborhoods and the historic filling is probably connected. To the extent possible, this should be addressed by the Commission.

Ms. Fiore spoke again on regarding the public notification of this project and the feeling that the public only gets half the picture at any one time. In her opinion, the Wetlands Protection Act doesn't protect wetlands, it only shows developers how to develop their property and doesn't protect neighbors.

Ms. Ainsworth asked that maybe the underground streams that were put into culverts could be found on old town maps, archived with the Town.

Another attendee asked, in light of climate changes, with wetter conditions, how will this effect the calculations of design storms.

Other attendees were:

Jennifer Watson, 66 Mott St. *
Mr. and Mrs. R. Bowe, 46 Dorothy Rd.
George Berberian, 209 Broadway
Frank Forrano, 25 Littlejohn St. *
Claire Ann Testa, 18 Dorothy Rd.
Elma Testa, 18 Dorothy Rd.
Charles Nicholade, 51 Burch St. *
Flora Nicholade, 51 Burch St. *
Barbara Iredell, 100 Melrose St. *
Marc Breslow, 86 Milton St. *
John Roche, 43 Beverly Rd.
Frances Cameron, 9 Princeton Rd. *
Louise Nunziato, 81 Thorndike St. *
Emma Stenberg, 17 Mill St. *
Francis Franco, 100 Fairmont St. *
Daniel Franco, 100 Fairmont St. *
Philip R. Thompson, 14 Cottage Ave.
Anne K. Thompson, 14 Cottage Ave. *
Yara Connaughton, 57 Dorothy Rd.
Erin Taylor Connaughton, 57 Dorothy Rd. *
William Dotson, 42 Henderson St.
Madeline Sala, 83 Dorothy Rd.
Betty Crosby, 61 Dorothy Rd.
Barbara Crosby, 61 Dorothy Rd.
Rachel Grubb, Arlington Advocate
Jim Rohlland, 58 Dorothy Rd.
Michael Sheehan, 70 Mary St.
Marie Conlon, 15 Edith St.
Dave Lemos, 11 Edith St.
Charles Lemos, 9 Edith St.
Donna Volpe, 17 Edith St. *
John A. Stella, 71 Mott St.
Andre Raisis, 15 Mary St.
Rep. Anne Paulsen, 90 School St., Belmont
George Adler, 95 Bay State Rd.
Joe Tremblay, 15 Colonial Dr.
Leonidas Kontohanassis, 42 Draper Ave.
Tom & Jen McGinn, 50 Mott St.
Clarissa Rowe, 54 Brantwood Rd.
Kevin Knobloch, 35 Academy St.
Sherwood Johnson, 67 Mott St. *
Shawna Rau, 67 Mott St.
Martha Scott, 90 Alpine St.
Mary Fitzgerald, 78 Margaret St.
Georgette Boucher, 4 Osborne Rd.
Zaivan Mazmanian, 1077 Massachusetts Ave.
Mel Samoorian, 80 Massachusetts Ave.
Orlando Daddario, 62 Fairmont St. *
Margaret Daddario, 62 Fairmont St. *
Grace Pellegrino, 119 Thorndike St. *
Peggy Allen, 95 Varnum St.
Karsten Hartel, 37 Brunswick Rd. *

Ann Leroyer, 12 Peirce St. *
Gerardo DeFabritiis, 54 Dorothy Rd.
Joseph Connors, 78 Bates Rd.
Barbara Whitney, 71 Teel St.
Walter and Elizabeth Locke, 24 Parker St.
William Dotson, 42 Henderson St.
Franca Ainsworth, 35 North Union St. *
Peter Fiore, 58 Mott St. *
Emilio Roselli, 14 Lake St. *
Maureen Fitzgerald, 76 Margaret St. *

Written comments were received by those with a star after their names. These comments will be distributed to the applicant and to the Commission's consultant and kept on file with the Commission.

With the applicants consent, the hearing was continued to October 5 at 8:30pm.

Respectfully submitted,
Cori Beckwith, Member and acting-Administrator